



Substitute House Bill No. 5758

Public Act No. 06-192

AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10-220h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

When a student enrolls in a school in a new school district, the new school district shall provide written notification of such enrollment to the school district in which the student previously attended school. The school district in which the student previously attended school (1) shall transfer the student's education records to the new school district no later than ten days after receipt of such notification, and (2) if the student's parent or guardian did not give written authorization for the transfer of such records, shall send notification of the transfer to the parent or guardian at the same time that it transfers the records. In the case of a student who transfers from Unified School District #1, the unified school district shall transfer the records of the student to the new school district which shall, not later than thirty days after receiving the student's education records, credit the student for all instruction received in Unified School District #1.

Sec. 2. Subsection (d) of section 10-220a of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(d) The Department of Education may fund, within available appropriations, in cooperation with one or more regional educational service centers: (1) A cooperating teacher program to train Connecticut public school teachers and certified teachers at private special education facilities approved by the Commissioner of Education and at other facilities designated by the commissioner, who participate in the supervision, training and evaluation of student teachers; (2) institutes to provide continuing education for Connecticut public school educators, assessors and cooperating teachers and teacher mentors, including institutes to provide continuing education for Connecticut public school educators offered in cooperation with the Connecticut Humanities Council; and (3) a beginning teacher support and assessment program to train Connecticut public school teachers and other qualified persons approved by the Commissioner of Education and certified teachers at such private special education and other designated facilities who serve as mentors or assessors for beginning teachers and who supervise, train and assist or assess beginning teachers in their initial years in teaching and to pay stipends to assessors. Funds available under this subsection shall be paid directly to school districts for the provision of substitute teachers when cooperating teachers, teacher mentors, beginning teachers and assessors are released from regular classroom responsibilities and for the provision of professional development activities for cooperating and student teachers, teacher mentors, assessors and beginning teachers. The cooperating teacher and beginning teacher support and assessment programs shall operate in accordance with regulations [which shall be] adopted by the State Board of Education [pursuant to] in accordance with chapter 54, except in cases of placement in other countries pursuant to written cooperative agreements between Connecticut institutions of higher education and institutions of higher

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education in other countries. A Connecticut institution may enter such an agreement only if the State Board of Education and Board of Governors for Higher Education have jointly approved the institution's teacher preparation program to enter into such agreements. Student teachers shall be placed with trained cooperating teachers. Beginning teachers shall participate in a beginning teacher support and assessment program as made available by the board. School districts shall be responsible for providing support to beginning teachers which shall include, but not be limited to, the placement of beginning teachers with trained teacher mentors who may be full or part-time teachers in the same or a different building than the beginning teacher and provision of trained assessors to conduct assessments of beginning teachers. Cooperating teachers, teacher mentors and assessors may serve concurrently in more than one capacity and may be assigned more than one student teacher or beginning teacher in each such capacity. The assessment of each beginning teacher shall be based upon, but not limited to, data obtained from observations conducted by assessors using an assessment instrument. A beginning teacher shall be assessed by educators with teaching experience in the same general subject area as such beginning teacher. Cooperating teachers and teacher mentors who are Connecticut public school teachers and assessors who are employed by school districts shall be selected by local and regional boards of education. Cooperating teachers and teacher mentors and assessors at such private special education and other designated facilities shall be selected by the authority responsible for the operation of such facilities. If a board of education is unable to identify a sufficient number of individuals to serve in such positions, the commissioner may select qualified persons who are not employed by the board of education to serve in such positions. Such regulations shall require primary consideration of teachers' classroom experience and recognized success as educators. The provisions of sections 10-153a to 10-153n, inclusive, shall not be applicable to the selection, placement and compensation of persons participating in the

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cooperating teacher and beginning teacher support and assessment programs pursuant to the provisions of this section and to the hours and duties of such persons. The State Board of Education shall protect and save harmless, in accordance with the provisions of section 10-235, any cooperating teacher, teacher mentor or assessor while serving in such capacity.

Sec. 3. (NEW) (*Effective July 1, 2006*) (a) The Department of Education may permit qualified graduates of a national corps of teachers' training program, approved by the Commissioner of Education, to be employed in public schools located in the towns of Bridgeport, Hartford and New Haven.

(b) Such persons may only be employed in a position at the elementary or secondary level where no certified teacher suitable to the position is available. Such persons shall (1) be enrolled in a planned program leading to certification in the subject area they are teaching, or enrolled in an approved alternate route to certification program or a program with state approval pending and that meets the standards for an alternate route to certification program, and (2) have completed at least twelve semester hours of credit or have passed the assessment approved by the State Board of Education in the subject area they will teach. The State Board of Education may grant a durational shortage area permit, endorsed consistent with this section, to a person who meets the qualifications for such permit as modified by this section. In granting such permits, the board shall give priority to addressing the needs of the schools operated by the boards of education for the towns of Bridgeport, Hartford and New Haven, and then to the needs of state charter schools located in such towns. Such permit shall be valid for one year and shall be renewable once.

Sec. 4. Subsection (d) of section 10-51 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(d) [Upon] (1) Prior to the effective date of this section, upon the recommendation and the approval of a majority of members on the board, a regional board of education may create a reserve fund to finance a specific capital improvement or the acquisition of any specific piece of equipment. Such fund shall thereafter be termed "reserve fund for specific capital improvements or equipment purchases". No annual appropriation to such fund shall exceed one per cent of the annual district budget. Appropriations to such fund shall be included in the share of net expenses to be paid by each member town until the fund established pursuant to this subdivision is discontinued. The board shall annually submit a complete and detailed report of the condition of such fund to the member towns. Such fund may be discontinued, after recommendation by the board and approval by the board, and any amounts held in the fund shall be transferred to the general fund of the district.

(2) On and after the effective date of this section, a regional board of education, by a majority vote of its members, may create a reserve fund for capital and nonrecurring expenditures. Such fund shall thereafter be termed "reserve fund for capital and nonrecurring expenditures". The aggregate amount of annual and supplemental appropriations by a district to such fund shall not exceed one per cent of the annual district budget for such fiscal year. Annual appropriations to such fund shall be included in the share of net expenses to be paid by each member town. Supplemental appropriations to such fund may be made from estimated fiscal year end surplus in operating funds. Interest and investment earnings received with respect to amounts held in the fund shall be credited to such fund. The board shall annually submit a complete and detailed report of the condition of such fund to the member towns. Upon the recommendation and approval by the regional board of education, any part or the whole of such fund may be used for capital and nonrecurring expenditures, but such use shall be restricted to the

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funding of all or part of the planning, construction, reconstruction or acquisition of any specific capital improvement or the acquisition of any specific item of equipment. Upon the approval of any such expenditure an appropriation shall be set up, plainly designated for the project or acquisition for which it has been authorized, and such unexpended appropriation may be continued until such project or acquisition is completed. Any unexpended portion of such appropriation remaining after such completion shall revert to said fund. If any authorized appropriation is set up pursuant to the provisions of this subsection and through unforeseen circumstances the completion of the project or acquisition for which such appropriation has been designated is impossible to attain the board, by a majority vote of its members, may terminate such appropriation which then shall no longer be in effect. Such fund may be discontinued, after the recommendation and approval by the regional board of education, and any amounts held in the fund shall be transferred to the general fund of the district.

Sec. 5. (NEW) (*Effective from passage*) A regional board of education, by a majority vote of its members, may create a reserve fund for accrued liabilities for employee sick leave and severance benefits. Such fund shall thereafter be termed "reserve fund for employee sick leave and severance benefits". The aggregate amount of annual and supplemental appropriations by a district to such fund in any one fiscal year shall not exceed the actuarially recommended contribution from the annual district budget for such fiscal year. No payments shall be made to the fund which will cause the amount of such fund to exceed the accrued liability for such employee benefits as determined by the district's annual financial statements, except for the addition of interest and investment earnings with respect to amounts held in the fund. Annual appropriations to such fund shall be included in the share of net expenses to be paid by each member town. Supplemental appropriations to such fund may be made from estimated fiscal year

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end surplus in operating funds. Interest and investment earnings received with respect to amounts held in the fund shall be credited to such fund. The board shall annually submit a complete and detailed report of the condition of such fund to the member towns. Upon the approval of the board, by a majority vote of its members, any part or the whole of such fund may be used for the payment of employee sick leave and severance benefits without further appropriation. Such fund may be discontinued, after recommendation by the board and approval by the board, and any amounts held in the fund shall be transferred to the general fund of the district.

Sec. 6. (*Effective July 1, 2006*) The Department of Education shall, within available resources review programs in other states for their effectiveness in reducing the drop-out and suspension rates for those students at risk of dropping out or being suspended from school. Not later than January 1, 2007, the department shall report its findings to the joint standing committee of the General Assembly having cognizance of matters relating to education in accordance with the provision of section 11-4a of the general statutes.

Sec. 7. (NEW) (*Effective from passage*) Notwithstanding any provision of the general statutes, the Department of Education may develop and maintain a web site without the aid of the Department of Information Technology.

Sec. 8. Subsection (b) of section 4d-82 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(b) The commission shall oversee the preparation and submission of a state-wide application to the federal Universal Service Fund to enhance connectivity to the Connecticut Education Network, maximize participation and grant attainment rates, and reduce overly burdensome administrative requirements which discourage local

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involvement. [The commission shall prepare a feasibility report which sets forth (1) a review of how and under what circumstances other states have successfully submitted state-wide applications to the Universal Service Fund, (2) an analysis of what should specifically be incorporated into this state's application, and (3) an outline of necessary actions to be taken by the commission for completion of a state-wide Universal Service Fund application. The commission shall work, in consultation with the Departments of Education and Higher Education and the regional educational service centers, on the feasibility report.] No later than [March 31, 2001] the annual federal funding deadline, and for every subsequent universal service funding cycle, the commission, or its designee, shall submit a state-wide application for universal service funds. Each local and regional board of education and public library that is designated by the commission for connection to the Connecticut Education Network shall be deemed to have authorized the commission or its designee to submit an application for such funds on its behalf.

Sec. 9. Subdivision (2) of subsection (b) of section 10-186 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) Any such parent, guardian, emancipated minor, pupil eighteen years of age or older, or agent or officer, aggrieved by the finding shall, upon request, be provided with a transcript of the hearing within thirty days after such request and may take an appeal from the finding to the State Board of Education. A copy of each notice of appeal shall be filed simultaneously with the local or regional board of education and the State Board of Education. Any child, emancipated minor or pupil eighteen years of age or older who is denied accommodations by a board of education as the result of a determination by such board, or a subcommittee of the board or local impartial hearing board, that the child is not a resident of the school district and therefore is not entitled

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to school accommodations in the district may continue in attendance in the school district at the request of the parent or guardian of such child or such minor or pupil, pending a determination of such appeal. If an appeal is not taken to the State Board of Education within twenty days of the mailing of the finding to the aggrieved party, the decision of the board, subcommittee or local impartial hearing board shall be final. The local or regional board of education shall, within ten days after receipt of notice of an appeal, forward the record of the hearing to the State Board of Education. The State Board of Education shall, on receipt of a written request for a hearing made in accordance with the provisions of this subsection, establish an impartial hearing board of one or more persons to hold a public hearing in the local or regional school district in which the cause of the complaint arises. Members of the hearing board may be employees of the [state] Department of Education or may be qualified persons from outside the department. No member of the board of education under review nor any employee of such board of education shall be a member of the hearing board. Members of the hearing board, other than those employed by the [state of Connecticut] Department of Education, shall be paid reasonable fees and expenses as established by the State Board of Education within the limits of available appropriations. Such hearing board may examine witnesses and shall maintain a verbatim record of all formal sessions of the hearing. Either party to the hearing may request that the hearing board join all interested parties to the hearing, or the hearing board may join any interested party on its own motion. The hearing board shall have no authority to make a determination of the rights and responsibilities of a board of education if such board is not a party to the hearing. The hearing board may render a determination of actual residence of any child, emancipated minor or pupil eighteen years of age or older where residency is at issue.

Sec. 10. Section 10-239i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

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Each local and regional board of education, as may be designated by the Commissioner of Education, shall participate in the National Assessment of Educational Progress or in any other national or international measure of student progress as may be determined by the commissioner.

Sec. 11. (NEW) (*Effective July 1, 2006*) The Department of Education shall encourage the use of regional educational service centers as providers of goods and services for local and regional boards of education and may award special consideration to grant applications that indicate the use of services of regional educational service centers or joint purchasing agreements among boards of education for the purpose of purchasing instructional or other supplies, testing materials or food or food services.

Sec. 12. Section 10-16x of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(a) The Department of Education, in consultation with the after school committee established pursuant to section 10-16v, may, within available appropriations, administer a grant program to provide grants for after school programs to local and regional boards of education, municipalities and not-for-profit organizations that are exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended. For purposes of this subsection, "after school program" means a program that takes place when school is not in session and is for the educational, enrichment and recreational activities for of children in grades kindergarten to twelve, inclusive.

(b) Applications for grants pursuant to subsection (a) of this section shall be filed annually with the Commissioner of Education at such time and in such manner as the commissioner prescribes.

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(c) The Department of Education and the after school committee established pursuant to section 10-16v shall develop and apply appropriate evaluation procedures to measure the effectiveness of the grant program established pursuant to this section.

[(c)] (d) For purposes of carrying out the provisions of [subsections (a) and (b) of] this section, the Department of Education may accept funds from private sources and from any state agency that is a member of the after school committee.

Sec. 13. Subsection (b) of section 10-183v of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(b) A former teacher receiving retirement benefits from the system may be reemployed by a local board of education or by any constituent unit of the state system of higher education in a position designated by the Commissioner of Education as a subject shortage area for the school year in which the former teacher is being employed. Such employment may be for up to one full school year but may, with prior approval by the board, be extended for an additional school year. Such request for approval shall be made in writing to the Teachers' Retirement Board and certified by the local board of education that no qualified candidates are available prior to the reemployment of such former teacher and shall include a statement indicating the type of assignment to be performed, the anticipated date of rehire and the expected duration of the assignment.

Approved June 7, 2006